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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/563,169

12/29/2005

Oguz Ergin

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07/03/2008

INTEL CORPORATION  
c/o INTELLEVATE, LLC  
P.O. BOX 52050  
MINNEAPOLIS, MN 55402

EXAMINER

TRIMMINGS, JOHN P

ART UNIT

PAPER NUMBER

2117

MAIL DATE

DELIVERY MODE

07/03/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,169	<b>Applicant(s)</b> ERGIN ET AL.	
	<b>Examiner</b> JOHN P. TRIMMINGS	<b>Art Unit</b> 2117	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 and 21 is/are allowed.
- 6) ☒ Claim(s) 15 and 19 is/are rejected.
- 7) ☒ Claim(s) 16-18 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/27/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claims 1-21 are presented for examination.

#### ***Response to Amendment***

1. The examiner approves entry of the amended Specification after the title.

#### ***Priority***

2. The examiner acknowledges the applicant's claim of priority to a PCT dated 10/10/2005.

#### ***Information Disclosure Statement***

3. The examiner has considered the applicant's IDS dated 6/27/2006.

#### ***Specification***

4. The disclosure is objected to because of the following informalities:  
  
The examiner believes that page 10 line 15 should be corrected to recite, "... 380 as the value of ~~byte-0~~ byte-3 of the stored dataword.".   
  
The examiner believes that page 16 line 5 should be corrected to recite, "... be stored includes [a] ~~an replaceable~~ irreplaceable portion, in box 721, ...".   
  
Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 4 of the claim, the limitation, “storing an indication that the stored data represents a narrow value,” is indefinite because one would think that the phrase, “a narrow value” is new and different from “a narrow value” instantiated in line 1. It would be much clearer if the applicant recognized that the narrow value of line 4 is the same narrow value of line 1.

7. Claim 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 6 of the claim, “the narrow value” leads one to believe that the narrow value of line 1 (the narrow value that is stored) has more to it – a remainder, when in fact the narrow value stored does not have a remainder. Instead, the limitation of this line would be clearer if the applicant reworded the phrase as, for instance, “the stored dataword”.

8. Claim 19 recites the limitation “the stored data” in line 6. There is insufficient antecedent basis for this limitation in the claim.

***Allowable Subject Matter***

9. Claims 1-14 and 21 are allowed. The following is an examiner's statement of reasons for allowance: As per independent claims 1, 7 and 21, the references teach a memory and processor including 1<sup>st</sup> storage means to store a 1<sup>st</sup> portion of a dataword, 2<sup>nd</sup> storage means to store a 2<sup>nd</sup> portion of a dataword, determining a condition of the dataword with a 3<sup>rd</sup> storage means to store the determining result, and selection logic to select based on the 3<sup>rd</sup> contents. But the references have failed to further disclose or suggest the unique features as claimed by the applicant as follows:

As per claims 1 and 21:

Either the contents of the 2<sup>nd</sup> storage means or a replacement value is chosen based on the determining result bit.

As per claim 7:

Either the the 2<sup>nd</sup> portion of the dataword or the 1<sup>st</sup> portion is chosen for storage in the second storage means based on the determining result bit, and either the contents of the 2<sup>nd</sup> storage means or a replacement value is chosen based on the determining result bit.

Dependent claims 2-6, 8-14 are also allowed by virtue of their dependence on the independent claims 1 and 7.

10. Claims 15 and 19 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action. The following is a statement of reasons for the indication of allowable subject matter: As per

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independent claims 15 and 19, the references teach a method of determining a dataword to store, storing a value, storing an indication of the value, reading back the value from storage and replacing part of the value. But the references have failed to further disclose or suggest the unique features as claimed by the applicant as follows:

As per claim 15:

The contents of the dataword to be stored are a narrow value, and the replacing step replaces a value in the remainder of the dataword.

As per claim 19:

The contents of the dataword to be stored redundantly are an irreplaceable portion, and after storage and retrieval, a compare of the two determines an error or not.

11. Claims 16-18 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allen et al., US Patent No. 5771247.

Ottesen et al., US Patent No. 6631493.

Sperber et al., US Patent No. 6557083.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN P. TRIMMINGS whose telephone number is (571)272-3830. The examiner can normally be reached on Monday through Thursday, 7:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John P Trimmings/  
Primary Examiner, Art Unit 2117

jpt